



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER  
DISASTER SITE LITIGATION

DANIEL DEGIOVINE and JOETTE DEGIOVINE,  
THOMAS DOHERTY and DIANE DOHERTY,  
FRANCIS LAVERY and KATHRYN LAVERY,  
JON MCGILLICK and ARLENE MCGILLICK,  
EUGENE MCGOWAN and DETE MCGOWAN,  
JOHN RAEHSE and PAULA RAEHSE,  
HECTOR RIVERA, and  
DEWANDRANATH SAMAROO,

21 MC 100 (AKH)

STIPULATION OF  
VOLUNTARY DISMISSAL AGAINST  
DEFENDANT THE PORT  
AUTHORITY OF NEW YORK AND  
NEW JERSEY  
PURSUANT TO F.R.C.P.  
41(a)(1)(A)(ii) PERTAINING TO THE  
FOLLOWING CASES

04 CV 09571

05 CV 00184

02 CV 09126

02 CV 09127 and 07 CV 04383

07 CV 04384

04 CV 07237

06 CV 08930

03 CV 02447

Plaintiffs,

-against-

**THE PORT AUTHORITY OF NEW YORK AND NEW  
JERSEY,**

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/18/11

Whereas Plaintiffs listed in Exhibit "A" elected to participate in the World Trade Center Settlement Process Agreement ("WTC SPA") to resolve claims against defendants insured by the World Trade Center Captive Insurance Company by tendering general releases and covenants not to sue in 2010; and

Whereas the claims of named Plaintiffs against the defendants insured by the World Trade Center Captive Insurance Company were dismissed with prejudice pursuant to the Stipulated Order of Dismissal so ordered by this Court on January 28, 2001; and

Whereas Plaintiffs desire to participate in the reopened Victim Compensation Fund, and must, as a condition of their participation withdraw, with prejudice, any claims remaining in the United States District Court for the Southern District of New York;

IT IS HEREBY STIPULATED AND AGREED by and between the parties that, pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(ii):

1. All claims by named Plaintiffs against Defendant The Port Authority of New York and New Jersey arising out of or relating in any way to World Trade Center-related rescue, recovery and/or debris-removal operations and/or clean-up at any location on and/or after September 11, 2001, are voluntarily dismissed with prejudice; and

2. The dismissal is without costs.

Dated: October 12, 2011

SULLIVAN PAPAIN BLOCK  
McGRATH & CANNAVO P.C.

By:

Andrew J. Carboy, Esq.  
Attorneys for Plaintiffs  
120 Broadway, 18<sup>th</sup> Floor  
New York, New York 10271

**ANDREW J. CARBOY**

  
U.S.D.L  
10/17/11

Dated: October 12, 2011

SCHIFF HARDIN LLP

By:

Attorneys for Defendant PORT  
AUTHORITY OF NEW YORK  
AND NEW JERSEY  
900 Third Avenue  
New York, New York 10022

**EXHIBIT A**

Plaintiffs represented by Sullivan Papain Block McGrath & Cannava P.C. in the 21 MC 100 Docket Now Discontinuing their 21 MC 100 claims against The Port Authority of New York and New Jersey

DANIEL DEGIOVINE and JOETTE DEGIOVINE	<i>04 CV 09571</i>
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